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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)
29250-000237P

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Application Number
09/393,300Filed
September 10, 1999

On _____

First Named Inventor
Mohamed Anisur Rahman

Signature _____

Art Unit
2687Examiner
Huy Q. Phan

Typed or printed name _____

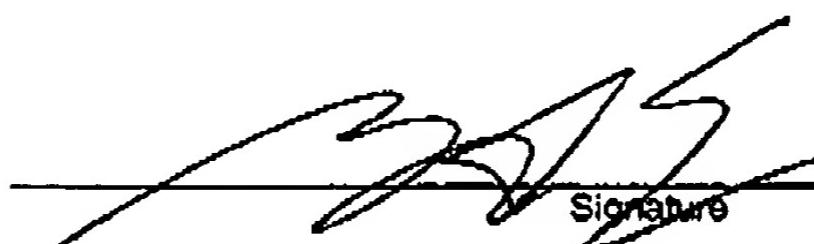
Applicants request review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages of attachments are provided.

I am the

 applicant/inventor


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703-688-8000

Telephone number

July 6, 2006

Date

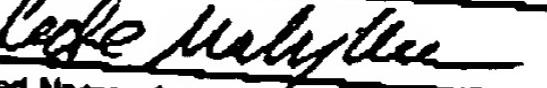
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of _____ forms are submitted.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: Mohamed Anisur Rahman

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Application No.: 09/393,300

Filed: September 10, 1999

Group: 2617

Examiner: Huy Q. Pahn

For: METHOD AND SYSTEM FOR DIRECTING A DATA MESSAGE
IN A WIRELESS COMMUNICATIONS NETWORK INCLUDING
MULTIPLE WIRELESS SYSTEMS

Att'y Docket No.: 29250-000237P

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July 6, 2006

**ATTACHMENT TO FORM PTO/SB/33
(DETAILS OF PRE-APPEAL BRIEF REQUEST FOR REVIEW)**

Sir:

Further to the concurrent filing of the attached Notice of Appeal, the following remarks are submitted in connection with the above-identified patent application under the Pilot Program for Pre-Appeal Brief Conference (Off. Gaz. Patent & Trademark Office, Vol. 1296, No. 2, July 12, 2005).

Claims 13, 15-19, 32-45, and 47 are pending. Of those, claims 13, 32, 38, and 44 are independent.

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Rejection For Which Conference Is Requested

A Pre-Appeal-Brief Conference is requested to review the rejection of claims 13, 15-19, 32-45, and 47 under 35 U.S.C. §103(a) as being obvious over Connolly et al. (USP 5,657,375) in view of Sayers et al. (USP 6,539,237).

Independent claims 13, 32, 38, and 44 similarly recite a first wireless system and a second wireless system. Accordingly, the independent claims will be collectively discussed.

Connolly et al.

The Examiner alleges that Connolly et al. teaches a radio cell coverage area, even though the independent claims recite wireless systems. For example, claim 13 recites a first wireless system and a second wireless system. The Examiner cites column 5, lines 5-22, in Connolly et al. as teaching an intercell handoff from a first radio cell coverage area to a second radio cell coverage area. However, the cited section also teaches that the first radio cell coverage area and the second radio cell coverage area are both located in a single switched network, i.e., a wireless digital PCS. In other words, Connolly et al. clearly teaches that cells are within a wireless system, not that cells are wireless systems.

The Examiner further alleges that columns 23-25 of Connolly et al. teach a central database 18. However, claim 13 recites in part, “a central database, independent of the first and second wireless system, the central database configured to send update information to update a user profile in the first wireless system in response to service for a mobile station being transferred from the first wireless system to the second wireless system, the user profile being updated to indicate that data messaging services are being provided to the mobile station by the second wireless system based on received transfer information, the transfer information including deregistration information from the first wireless system[.]” (Emphases added.)

As indicated by the underlined sections above, a central database sends update information when a mobile station is being transferred from a first wireless system to a second wireless system. Columns 23-25 and FIG. 8 of Connolly et al. teaches registration of a mobile station in a roaming mode. Connolly et al. further teaches Visited Service Control Point (VSCP) queries a Home Service Control Point (HSCP) during registration. The VSCP sends an IS41

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session key request message to the HSCP. The HSCP updates the user's location. The HSCP also sends an ID41 de-registration message to any previously VSCP.

According to columns 23-25 of Connolly et al. there are two at least (2) databases (HSCP and VSCP), which are dependent to their respective wireless system. In addition, columns 23-25 of Connolly et al. teach registration of a mobile station in a roaming mode. Therefore, Connolly et al. fails to teach a database, independent of first and second wireless systems, the database configured to send update information in a first wireless system in response to service of a mobile station being transferred from the first wireless system to a second wireless system.

For additional remarks, Applicants draw the Examiners' attention to Applicants Amendment filed on January 27, 2006.

Sayers et al.

The Examiner admits that a radio coverage cell area, such as in Connolly et al., is not a wireless system. However, in the Office Action dated November 9, 2005, on page 3, the Examiner alleges "Sayers et al. teach wherein the first radio cell coverage area (fig. 1, cell 11) is the first wireless system (fig. 1, public wireless network 15) and the second radio cell coverage area (fig. 1, cell 11') is the second wireless system (fig. 1, private wireless network 14)." (Emphasis added.) The Examiner is clearly alleging that Sayers et al. teaches that a radio cell coverage area of Connolly et al. is equivalent to a wireless system.

In the Final Office Action dated March 6, 2006, on page 2, the Examiner alleges "The applicant is correct in his/her assertion that element 11 and 11' are cell coverage areas, which is a sub-component of a wireless system. However, element 11 is a sub-component of the public wireless network, a first wireless system; and element 11' is a sub-component of the private network, a second wireless system. Therefore, Sayers et al. teach controlling two cell coverage areas from two distinct wireless systems." (Emphases added.)

Applicants are at loss to understand the Examiner's position with respect to Sayers et al. It appears that the Examiner is trying to allege that the system taught in Connolly et al. may be substituted into the system of Sayers et al., because Sayers et al. teaches two distinct wireless

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systems. However, as remarked above with respect to Connolly et al., Connolly et al. fails to teach or suggest all the recitation of independent claims of the present invention. For example, Connolly et al. fails to teach or suggest a database independent of a first wireless system and a second wireless system.

Sayers et al. teaches that a conventional public wireless system 15 includes a network sub-system (NSS) 6. The NSS 6 includes a home location register (HLR) 19 and a visitor location register (VLR) 13 (i.e., HSCP and VSCP, respectively of Connolly et al., and alleged by the Examiner as the database). Column 8, lines 36-38, column 9, lines 11-22, and FIG. 1. Sayers et al. teaches that a database is dependent to the public wireless system. Accordingly, even if the teaching of Connolly et al. is combined with the teaching of Sayers et al., the combination would still fail to teach all the recitation of the independent claims.

For at least the reasons given above, Applicants submit that similarly recited independent claims 13, 32, 38, and 44 are patentable over the Examiner's cited references; in addition, respective dependent claims are also patentable for depending on allowable base claims.

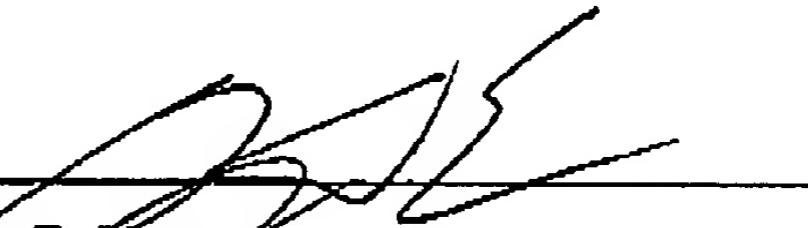
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CONCLUSION

In view of the above remarks, Appellants request the Pre-Appeal Brief Conference to find in favor of Appellants' positions and arrange for withdrawal of the above-noted rejections, culminating in the sending of a Notice of Allowance of the pending claims.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

By 
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Cate Malycke